

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of

Replacement of Part 90 by Part 88 to
Revise the Private Land Mobile Radio
Services and Modify the Policies
Governing Them

PR Docket No. 92-235

REPLY COMMENTS OF THE
NATIONAL TELEPHONE COOPERATIVE ASSOCIATION

The National Telephone Cooperative Association ("NTCA") submits these Reply Comments in response to the Notice of Proposed Rulemaking released November 6, 1992 ("NPRM") and the comments filed on May 28, 1993, both in the docket captioned above. NTCA is a national association of approximately 500 small and rural local exchange carriers ("LECs") providing telecommunications services to interexchange carriers and subscribers throughout rural America. Many NTCA members utilize telephone maintenance radio service ("TMRS") and will be affected by the outcome in this docket.

I. THE CHANNEL SPLITTING TRANSITION SHOULD BE LONG ENOUGH TO MINIMIZE COST.

The Commission proposes reducing the "current 25 kHz channel spacing eventually to 6.25 kHz in the 421-430, 450-470 and 470-512 MHz bands and to 5 kHz channel spacing in the 72-76 . . . and 150-174 MHz bands" as a way of increasing efficiency.¹ NTCA realizes channel spectrum is a scarce resource and steps need to

¹ NPRM at para. 8.

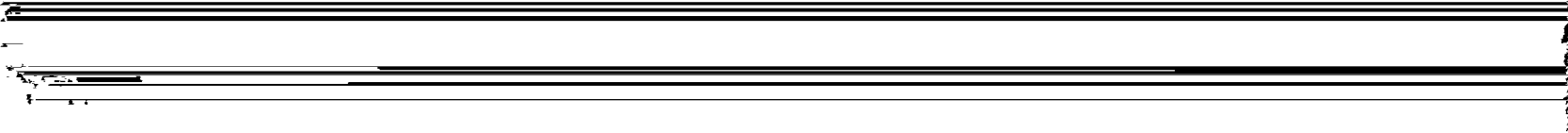
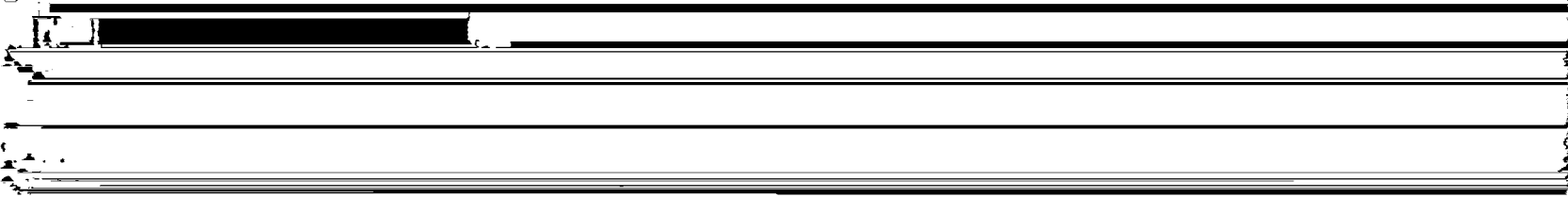
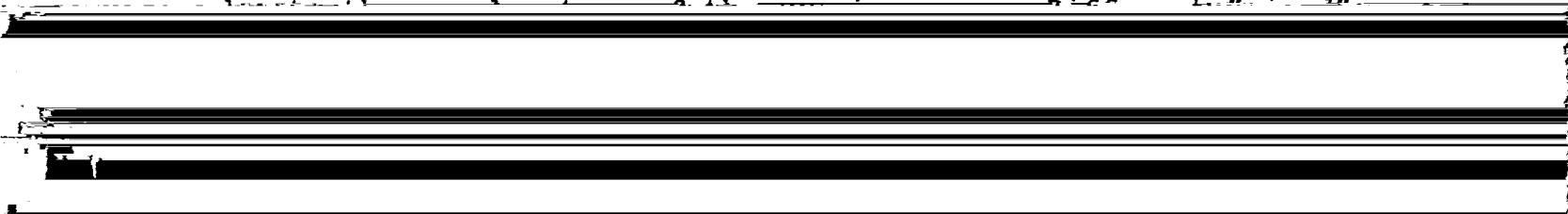
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be taken to promote efficiency. While the channel splitting proposal will in the long run promote efficiency, NTCA agrees with other parties' comments concluding that any transition to channel splitting should allow the industry ample time to make required equipment modifications or upgrades in an economic manner.² NTCA supports a transition period of at least ten years.

II. EXCLUSIVE USE QUALIFICATION SHOULD BE FLEXIBLY DETERMINED TO RECOGNIZE THE LOW DENSITY USAGE CHARACTERISTICS OF RURAL AREAS.

NTCA agrees generally with the exclusive use overlay ("EUO") proposal to promote efficiency in areas where spectrum is a scarce resource.³ However, NTCA believes that modifications to include flexibility in application, or perhaps exemptions from the proposals should be adopted for rural serving areas. Rural telephone company users may find it difficult to meet proposed channel loading requirements to maintain exclusive use



spectrum for telecommunications maintenance purposes in rural areas.⁵

TMRS is a vital, internal communication tool used by LECs to ensure quality and dependable customer service. The "trouble-

("SMR") licenses. Both Bellsouth and Southwestern Bell correctly point out that the Commission has never made a finding that the ban is in the public interest.⁷ The lack of a public interest benefit finding together with the changing circumstances of increased competition from SMR and other forms of wireless service warrants, at a minimum, a review of the ban.

IV. ERP/HAAT STANDARDS SHOULD ALLOW FLEXIBILITY IN RURAL AREAS.

The Commission has proposed reductions to effective radiated power (ERP) and antenna height above average terrain (HAAT) limits. NTCA members utilize telephone maintenance radio systems in rural areas where overly restrictive technical and operational standards could prove burdensome, counter-productive, and lead to higher system costs without any countervailing benefits. NTCA agrees with the comments concluding that the proposed rules would translate into potentially burdensome higher costs for telephone companies and their customers.⁸ In view of this potential, NTCA requests that the Commission allow flexibility in technical limits for rural areas. As proposed by Cascade Telephone Communications, power limits should be "modified to provide for a specific mechanism whereby licensees in areas of irregular terrain can obtain relief from the proposed power restrictions."⁹ Bell Atlantic's proposal to require submission

⁷ Southwestern Bell at 2 and Bellsouth at 5.

⁸ See, e.g., MCI at 3-5 and Bell Atlantic at 4.

⁹ Cascade Telephone Communications at 7.

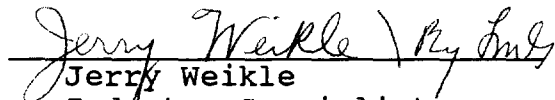
of coverage contours with applications may also have merit in a flexibly applied set of rules.¹⁰

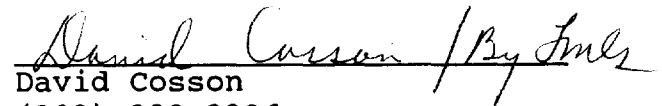
V. CONCLUSION

NTCA urges the Commission to take notice of users in rural areas and their special conditions by adopting flexible rules consistent with the comments above.

Respectfully submitted,

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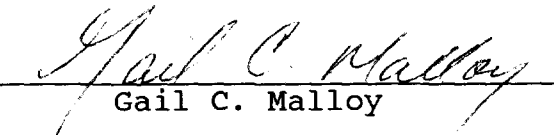
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¹⁰ Bell Atlantic at 4.

CERTIFICATE OF SERVICE

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